

Application No. 09/915,080  
Response to Office Action  
Reply to Office Action of March 6, 2007

## **REMARKS**

### **I. Introduction**

Claims 1, 3-11, 23, 24, 26-37, 39, and 40 are pending and stand rejected. Claims 2, 9, 12-22, 25, and 30-38 have been cancelled. Consequently, claims 1, 3-8, 10, 11, 23, 24, 26-29, 39 and 40 are at issue, of which claims 1, 7, 23, 26 and 40 are independent claims.

### **II. The Rejections**

Claims 1, 3-7, 10, 23-24, 30-37, and 39-40 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,280,527 to Gullman in view of U.S. Patent No. 5,280,527 to Dams.

Claims 26-29 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gullman in view of Dams and further in view of U.S. Patent No. 6,161,005 to Pinzon.

Claims 1, 3-11, 23-37 and 39-40 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Published Application 2003/0018478 to Mays in view of Dams and further in view of Gullman.

Claims 26-29 were rejected under 35 U.S.C. §103(a) as being unpatentable over Mays, Dams, and in further view of Gullman and Pinzon. The rejections as they may apply to the claims presented herein are respectfully traversed.

### **III. The Rejections of claims 1, 3-7, 10, 11, 23-24 and 39-40 over the Gullman-Dams and Mays-Dams-Gullman Combinations are Traversed**

The Office Action rejected claims 1, 3-7, 10, 23-24, and 39-40 over the proposed Gullman-Dams and Mays-Dams-Gullman combinations.

Applicant submits the combination fails because the primary reference, Dams, has nothing to do with security and the references do not combine. As just noted, Dams has nothing to do with a security system and controlling access to a secured area. Indeed quite to the opposite, Dams is directed to training speech recognition such as for cell phones or other telephonic devices.

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Dams describes a speech recognition system which can recognize seven utterances (three names and four commands). See Dams, col. 3, lines 53-67. As shown in the flowchart of FIG. 3 of Dams, a call is received at step 52. The system may go to speaker dependent mode at step 54 and, at step 56, attempts to recognize the speech in speaker dependent mode. If this attempt is unsuccessful, an attempt is made to recognize the same speech at step 66 in speaker independent mode. At step 68, it is determined if the attempt to identify the same speech is successful. If successful, the speech is added to a template at step 70 and execution continues at step 60. Column 4, lines 28-31. The templates are examples for future speech recognition. See column 2, lines 6-9. If the attempt is not successful, a higher level of analysis is performed at step 72. This higher level of analysis includes the user repeating a command (presumably so it can be learned by the device) or requesting a non-speech entry, such as keying in a specific phrase. Column 4, line 52.

The point of Dams is to teach voice recognition or teach voice independent commands. There is no thought of security, use of a password to access a secured area and verification of that password. Furthermore, even if one argues that Dams' simple "yes" or a "no" question is a "password", applicant merely notes, how could it be, when a person would always have a 50% chance of entry on the first try and a 100% chance of entry on the second try. Moreover Dams does not suggest a verification of a purported passcode.

Gullman and Pinzon describe the use of voice analysis technology in a security apparatus, but they do not suggest a dependent speaker module analyzing a first voice signal and an independent speaker module analyzing a second voice signal. Moreover, these references do not combine with Dams which does not involve security. Further, even if combined, the combination does not suggest dependent speaker module analyzing a first voice signal and an independent speaker module analyzing a second voice signal.

Mays describes a system in which "a speech activation unit 53 may be programmed to recognize a predetermined number of words in a speaker dependent *or* speaker independent mode." Mays, paragraph 20. Consequently, Mays does not teach or suggest a dependent speaker module analyzing a first voice signal and then an independent speaker module analyzing a second voice signal when identification of the first voice signal fails.

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Since none of the cited references alone or in combination teach or suggest that the second received voice signal includes a passcode and passcode verification, it is submitted that claims 1, 7, 23 and 40 are allowable over either the Gullman-Dams or Mays-Gullman-Dams combination. Claims 3-6, 8, 10, 11, 24, and 39 depend upon these independent claims and are submitted to be allowable for the same reasons as the independent claims.

**IV. Claims 26-29 Are Non-Obvious Over the Mays-Dams-Gullman Combination.**

Claims 26-29 were rejected over the proposed Mays-Dams-Gullman combination. The embodiment of claim 26 is used to allow anyone to stop a moving barrier by voice seconds after its movement is initiated. For example, by voice activation a mother can stop a garage door from hitting a child.

Nothing in the prior art shows a speaker independent analysis in response to successful speaker dependent analysis. The prior art has no need for such analysis because safety (the termination of a prior action) is not a part of any system described in the art. In short the prior art did not recognize or solve the problem solved by applicants.

Because the above-mentioned claim elements are not taught or suggested by any of the references, it is submitted that claim 26 is allowable over the proposed Gullman-Dams-Pinzon combination. Claims 27-29 depend directly or indirectly upon claim 26. Since claim 26 is allowable, it is submitted that claims 27-29 are also allowable.

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**V. Conclusion**

For the above-mentioned reasons, the Applicants respectfully request reconsideration and allowance of the pending claims. The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135.

Respectfully submitted,

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